



# THOMAS AMBROSIO

ATTORNEY AT LAW

Member of NJ & NY Bars

January 11, 2016

Via ECF

Robert Frazer  
Assistant United States Attorney  
District of New Jersey  
970 Broad Street, Suite 700  
Newark, NJ 07102

Re: USA vs. Farad Roland  
Crim. No. 12-298 (ES)  
Rashaun Leaks Murder Discovery Request

Dear Mr. Frazer:

Based upon my ongoing review of the discovery and trial preparation of this case I hereby make the following Rule 16 discovery request:

1. **Investigation and Inspection report related to Jeep Cherokee.** Page 4 of a Newark Police Preliminary Investigation report (bates stamp 04.0014) related to the Rashaun Leaks murder states the “Jeep was located at 24 Garibaldi Avenue, where it was towed to the Essex County Prosecutor’s Crime Scene Unit, for further investigation and inspection.” A search warrant was obtained for the subject Jeep to search for fingerprints, ballistic evidence, shell casings, bullets and firearms, DNA, blood and other

bodily fluids and biological evidence, clothing and personal papers and other evidence pertaining to the identity of the suspect(s) (bates stamp 04.0033) Defense counsel requests a copy of the any and all reports related to the investigation and inspection of the subject Jeep Cherokee which was made pursuant to search warrant issued on 12/8/2003

2. **Interview of Cyrus Morgan.** Cyrus Morgan was the victim of a shooting on 12/1/2003. The shooting is detailed in a Newark Police Incident Report (bates stamp 04.0526). According to the incident report “.Det. Suarez responded [sic] to the scene and hospital to interview the victim.” Please provide defense counsel with a copy of the report of the interview of Cyrus Morgan. Defense also considers this request to be discoverable pursuant to *Brady v. Maryland* since the bullet casings found at the scene of the Cyrus Morgan shooting were a ballistic match to the gun recovered from the Leaks murder vehicle. Defense contends that Cyrus Morgan may have had motive to shoot Leaks and/or Andre Shoulars and as such this evidence tends to exculpate defendant Farad Roland.
3. **Name of alleged witness to Rashaun Leaks murder and any reports related to the witness.** The Government disclosed in its November 16, 2015 *Brady* material letter that a witness observed Roland and Keson Leary each shoot at Leaks’ vehicle from another vehicle. The bullets casings found at the Leaks murder scene were determined to have been fired from the same weapon rather than from 2 separate weapons. Defense counsel requests the statement and identity of the witness. The defendant will be severely prejudiced and will be denied a fair trial if it is not provided the name and actual statement of the witness which are both in the possession of the Government.

**Renewed Request For Disclosure of *Brady* Witness Names**

In defendant's Response In Opposition To Government's Motion To Disqualify Thomas Ambrosio, Esq. (ECF Docket No. 134 at page 31) the defense requested that "The Government should also be directed to disclose the identity of all Brady witnesses known to the Government, including, each Brady witness referenced (but not named) in the Government's November 16, 2015 letter. Without being informed of the identities of the Brady witnesses, the defense is unable to conduct a meaningful investigation into the favorable information disclosed by the Government."

The names of the witnesses have not been disclosed as of the date of this letter. The request for the names of all *Brady* witnesses is hereby renewed. It is also requested that any statements given by those *Brady* witnesses be provided now as well.

The Government is well aware that this case involves 7 homicides spanning 6 separate incidents, not to mention numerous other offenses and predicate acts that must be defended. Defense counsel cannot conduct adequate and timely investigation of all the charges against Mr. Roland unless the requested *Brady* names and statements are provided now.

Very truly yours,

/s/Thomas Ambrosio  
Thomas Ambrosio

cc: Richard Jasper, Esq.  
Michael Bachrach, Esq.  
AUSA Courtney Howard  
AUSA Robert Feitel  
Farad Roland (via regular mail)